

U.S. Patent Application No. 09/536,351
Second Supplemental Amendment After Final dated June 14, 2004
Reply to final Office Action dated September 2, 2003

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

Claims 1 and 2 (cancelled)

Claim 3 (currently amended): A storage stable pesticide formulation comprising from about 1% to about 60% by weight of at least one vegetable oil, from about 20% to about 55% by weight of at least one non-ionic surfactant, based on the weight of the pesticide formulation, and a neem seed extract, wherein said neem seed extract comprises from about 1% to about 5% by weight azadirachtin based on the weight of the pesticide formulation, wherein said at least one non-ionic surfactant is a sorbitan polyoxyethylene trioleate, wherein said at least one vegetable oil is sesame seed oil, and wherein said formulation contains less than about 1/2% by weight water, based on the weight of the formulation, wherein said formulation is storage stable such that at least 90% by weight of the azadirachtin originally present remains after 1 year of storage at 25°C in a sealed container, or such that at least at about 25 wt% of the azadirachtin A originally present remains after an accelerated aged test of 28 days at 54° C in a sealed container and wherein said formulation is free of organic solvents.

Claim 4 (cancelled)

Claim 5 (original): The formulation of claim 3, wherein said vegetable oil contains less than 1% by weight free fatty acid based on the weight of the vegetable oil.

Claims 6 and 7 (cancelled)

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Claim 8 (original): The formulation of claim 3, wherein said azadirachtin is azadirachtin A, azadirachtin B, or both.

Claim 9 (original): The formulation of claim 3, wherein said formulation is storage stable such that at least 90% by weight of the azadirachtin originally present remains after 1 year of storage at 25°C in a sealed container.

Claims 10-13 (cancelled)

Claim 14 (currently amended): A storage stable pesticide formulation formed by mixing at least one vegetable oil, at least one non-ionic surfactant, and at least one neem extract together to form said formulation, wherein said neem extract comprises at least azadirachtin, and wherein said formulation contains less than ~~about~~ 2% by weight water, based on the weight of the formulation, wherein said formulation is storage stable such that at least 90% by weight of the azadirachtin originally present remains after 1 year of storage at 25°C in a sealed container, or such that at least at about 25 wt% of the azadirachtin A originally present remains after an accelerated aged test of 28 days at 54° C in a sealed container, wherein said formulation is ~~substantially~~ free of organic solvents.

Claim 15 (original): The formulation of claim 14, wherein said at least one vegetable oil is sesame seed oil.

Claim 16 (original): The formulation of claim 15, wherein said non-ionic surfactant is sorbitan polyoxyethylene trioleate.

Claims 17-22 (cancelled)

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Claim 23 (currently amended): The formulation of claim ~~10~~ 3, wherein said vegetable oil
is present in an amount of from about 20 weight % to about 50 weight %; and
said surfactant is present in an amount of from about 40 weight % to about 50 weight %.

Claim 24 (cancelled)